



UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS

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DISMISSED WITH PREJUDICE: September 12, 2011

CBCA 2389

TIDEWATER CONTRACTORS, INC.,

Appellant,

v.

DEPARTMENT OF TRANSPORTATION,

Respondent.

Jess Fitzhugh, President of Tidewater Contractors, Inc., Brookings, OR, appearing for Appellant.

Timothy J. Binder, Division Counsel, Western Federal Lands Highway Division, Federal Highway Administration, Department of Transportation, Vancouver, WA, counsel for Respondent.

**BORWICK**, Board Judge.

ORDER

On September 7, 2011, the Board received a motion to dismiss the appeal in accordance with the terms of a settlement agreement. Pursuant to the agreement of the parties, and Rule 12(c), this appeal is **DISMISSED WITH PREJUDICE**.

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ANTHONY S. BORWICK

Board Judge